

SB1200/397075/1

BY: Finance Committee

AMENDMENTS TO SENATE BILL 1200
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, at the top of the page, strike “EMERGENCY BILL”; in line 11, after “Act;” insert “establishing that a violation of certain provisions of this Act is subject to certain enforcement and penalty provisions under the Maryland Consumer Protection Act, with a certain exception; requiring the Joint Committee on Cybersecurity, Information Technology, and Biotechnology to monitor the enforcement of certain provisions of this Act and the impact of the provisions on consumers, Internet service providers, and other businesses in the State; requiring the Joint Committee on Cybersecurity, Information Technology, and Biotechnology to include certain findings and recommendations in a certain report;”; in lines 11 and 12, strike “making this Act an emergency measure” and substitute “requiring the Attorney General to monitor certain federal actions and provide a certain notification to the Department of Legislative Services; providing for the termination of this Act under certain circumstances”.

AMENDMENT NO. 2

On page 4, in line 3, strike “OR”; in line 5, after “PERTAINS” insert “; **OR**”

(3) TO PROVIDE THE UNDERLYING INTERNET SERVICE PROVIDED BY THE INTERNET SERVICE PROVIDER.

(D) A VIOLATION OF THIS SECTION IS SUBJECT TO THE ENFORCEMENT AND PENALTY PROVISIONS CONTAINED IN THIS TITLE, EXCEPT § 13-408 OF THIS TITLE”;

before line 6, insert:

(Over)

“SECTION 2. AND BE IT FURTHER ENACTED, That the Joint Committee on Cybersecurity, Information Technology, and Biotechnology shall:

. (1) monitor the enforcement of § 13-321 of the Commercial Law Article, as enacted by Section 1 of this Act, and the impact of § 13-321 on consumers, Internet service providers, and other businesses in the State; and

(2) include its findings and any recommended changes that are needed to § 13-321 of the Commercial Law Article, as enacted by Section 1 of this Act, in its annual report that is due on or before December 1, 2018, under § 2-10A-13 of the State Government Article.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall remain effective until a federal law, regulation, or rule is adopted and becomes effective that prohibits an Internet service provider from engaging in the conduct prohibited under § 13-321 of the Commercial Law Article, as enacted by Section 1 of this Act. If a federal law, regulation, or rule is adopted and becomes effective that prohibits an Internet service provider from engaging in the conduct prohibited under § 13-321, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect. The Attorney General shall monitor federal actions regarding the adoption and enactment of laws, regulations, and rules relating to the conduct of Internet service providers and shall promptly provide notification of the adoption and enactment of a federal law, regulation, or rule that prohibits an Internet service provider from engaging in the conduct prohibited under § 13-321, including providing a copy of the federal law, regulation, or rule, to the Department of Legislative Services, 90 State Circle, Annapolis, Maryland 21401.”;

in line 6, strike “2.” and substitute “4.”; and strike beginning with “is” in line 6 down through “enacted” in line 10 and substitute “shall take effect October 1, 2017”.